

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

UYLA M. MILLS,

06-CV-0752 (SJF)

Plaintiff,

OPINION AND ORDER

- against -

MITEQ, INC., ET AL,

Defendants.

X

FEUERSTEIN, J.

On February 21, 2006, plaintiff Uyla M. Mills (“Plaintiff”) commenced this action pursuant to Title VII of the Civil Rights Act of 1964. On March 9, 2006, this Court granted Plaintiff’s application to proceed *in forma pauperis*. On September 26, 2006, Plaintiff filed an amended complaint, seeking to assert additional claims against Jeanine Corrao, Naseer Shaikh, Sarah Gruarin and Arthur Favario (collectively, the “Individual Defendants”).

Plaintiffs’ motion was referred to Magistrate Judge A. Kathleen Tomlinson for a report and recommendation. By Report and Recommendation dated September 14, 2007, Magistrate Judge Tomlinson recommended that plaintiff’s motion be (1) denied to the extent that it seeks to add claims against the Individual Defendants for defamation or slander, (2) denied to the extent that it seeks to add claims against the Individual Defendants for invasion of privacy, (3) denied to the extent that it seeks to add claims against Defendant Favario for violations of the New York State Human Rights Law (“NYSHRL”), and (4) granted to the extent it seeks to add claims against Defendants Shaikh, Corrao and Gruarin for violations of NYSHRL.

Plaintiff timely filed objections to Magistrate Judge Tomlinson’s Report and

Recommendation by letter dated September 25, 2007. For the reasons stated herein, Magistrate Judge Tomlinson's Report and Recommendation is adopted in its entirety.

I

Rule 72 of the Federal Rules of Civil Procedure permits magistrate judges to conduct proceedings on dispositive pretrial matters without the consent of the parties. Fed. R. Civ. P. 72(b). Whether or not proper objections have been filed, the district judge may, after review, accept, reject, or modify any of the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

II

Plaintiff timely filed objections to Magistrate Judge Tomlinson's Report and Recommendation by letter dated September 25, 2007. However, Plaintiff's objections were not sufficient to overcome Magistrate Judge Tomlinson's Report and Recommendation. Thus, Magistrate Judge Tomlinson's Report and Recommendation is affirmed and adopted in its entirety as an Order of the Court. Pursuant to Magistrate Judge Tomlinson's Report and Recommendation, Plaintiff's motion to amend her complaint is DENIED in part and GRANTED in part.

III

Plaintiff is granted leave to replead her complaint (1) to the extent that it seeks to add claims against the Individual Defendants for defamation or slander and (2) to the extent that it seeks to add claims against Defendant Faverio for violations of the NYSHRL. Any such amended complaint must be filed within thirty (30) days of the date of this Order.

SO ORDERED.

/s/

SANDRA J. FEUERSTEIN
United States District Judge

Dated: October 3, 2007
Central Islip, New York

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